

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

**JOHN ELMY, et al,**

**Plaintiffs,**

**v.**

**WESTERN EXPRESS, INC., et al,**

**Defendants.**

**Case No. 3:17-cv-01199**

**CONSENT TO SUE**

I work or worked for WESTERN EXPRESS, INC. as an owner-operator and leased a truck from NEW HORIZONS LEASING, INC. I hereby consent to sue these Defendants in this Fair Labor Standards Act minimum wage case. I understand that by signing this form, I will be represented by the Named Plaintiff and Getman Sweeney & Dunn, PLLC, Swartz Swidler, LLC, and other associated attorneys in bringing any claims I may have under the Fair Labor Standards Act (for unpaid minimum wage, attorney's fees, costs and other relief) in this action. By signing and submitting this consent to sue, I authorize the firms to represent me without prepayment of costs or attorneys' fees. I understand that the funds ultimately retained by the attorneys will be either the fees and costs actually incurred or 1/3 of the total settlement or judgment amount plus incurred costs, whichever is greater. I understand that any fees and costs sought are subject to court approval. I understand that if the case is not successful, I will not be obligated to pay any fees or costs to plaintiffs' counsel.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Name exactly as it appears on company pay statements if different than above:

\_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Best Phone Number(s): \_\_\_\_\_

Email: \_\_\_\_\_

Emergency Contact: \_\_\_\_\_

This Consent to Sue is not valid and effective until you have received a receipt from Plaintiffs' Counsel indicating that it has been filed. If you have not received a receipt within 3 weeks from your transmission of the form to us, you must contact us by phone at (845) 255-9370.